

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

DAVID ZAIRE,

Plaintiff,

v.

No. 9:03-CV-629
(FJS/RFT)

THOMAS WELCH, Correction Counselor at
Clinton Correctional Facility;
R. JOYCE CARVER, Deputy Commissioner/
Designee for the NYS Department of
Correctional Services; ANGELO
JUSTINIANO, Deputy Commissioner/
Designee for the NYS Department
of Correctional Services,

Defendants.

APPEARANCES:

DAVID ZAIRE
Plaintiff, *Pro Se*
83-A-2242
Clinton Correctional Facility
Box 2000
Dannemora, N.Y. 12929

OF COUNSEL:

HON. ANDREW M. CUOMO
Attorney General of the
State of New York
Attorney for Defendants
The Capitol
Litigation Bureau
Albany, New York 12224

MARIA MORAN, ESQ.
Assistant Attorney General

FREDERICK J. SCULLIN, JR., S.D.J.:

ORDER

Presently before the Court is Magistrate Judge Randolph F.

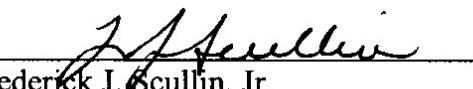
Treece's March 10, 2008 Report-Recommendation in which he recommends that defendants' motion for an Order striking Plaintiff's IFP status be denied and no objections to said Report-Recommendation having been filed, the Court

ORDERS that the Report-Recommendation of Magistrate Judge Randolph F. Treece filed March 10, 2008 is, for the reasons stated therein, **ACCEPTED** in its entirety and the Court further

ORDERS that defendants' motion for an Order striking Plaintiff's IFP status is **DENIED**.

IT IS SO ORDERED.

DATED: March 31, 2008
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge